HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. (Suo-Motu) 3090 of 2022

HRERA, Panchkula ...COMPLAINANT

VERSUS

B.M. Gupta Developers Pvt. Ltd. ....RESPONDENT

CORAM:	**Parneet S Sachdev**	**Chairman**
	Nadim Akhtar	**Member**
	Dr. Geeta Rathee Singh	**Member**
	Chander Shekhar	**Member**

Date of Hearing: 24.04.2024

Hearing: 3rd

Present: - Sh. Manoj Kapoor on the behalf of the respondent.

ORDER [Parneet S Sachdev-Chairman]

This suo-motu complaint was registered against the respondent promoter for neither completing the project within the timelines declared u/s 4(2)(l)(c) at the time of seeking registration nor applying for extension of registration of the project namely "Elegant Homes" a Residential Plotted

Colony (7 Plots of Residential Plotted Colony) measuring 4417.938 sq. mtrs. situated in sector-26, Garhi Bolni Road, Tehsil and District Rewari registered vide registration no. 242 of 2017 dated 26.09.2017 which was valid upto 25.09.2021. After granting covid benefit the registration stands expired on 25.06.2022.

2. In view of aforesaid, a show cause notice dated 23.11.2022 was issued to the respondent promoter directing to furnish information relating to the status of the project on the date of expiry of registration.

3. On 16.01.2023, Authority observed that as on date the registration stands expired, therefore the promoter is directed not to sell any unsold inventory or create any third party rights in the project till extension is granted.

4. The respondent vide reply dated 24.01.2023 and Sh. Manoj Kapoor who is present on 18.12.2023, informed the Authority that out of the seven plots registered under this project, Occupation certificate of four plots have been obtained, two plots have been sold unconstructed and the promoter does not intend to construct and sell one plot. They have also submitted an application for discontinuation of registration on 11.10.2023.

5. On 18.12.2023, Authority observed that since completion of this plotted colony has not been obtained and RERD Act, 2016 specifically provides for continuation of registration till completion certificate is granted therefore, the respondent is directed to apply for extension and also not to sell any unsold inventory till extension is granted.

6. Today, Sh. Manoj Kapoor informed that vide letter dated 21.02.2024, they had applied for extension of one plot and application of discontinuation of the said project registration is also under consideration of the Authority.

7. The Authority is of the view that the promoter has sold two unconstructed plots, therefore violating the terms of the project registration certificate. A penalty of Rs. 50,000/- is being imposed for violating the terms of the registration certificate. The promoter should submit the said amount in the registry of the Authority before the next date of hearing. Further, application of deregistration of project and of extension will be considered in the agenda proceedings of the Authority separately.

8. Adjourned to **24.07.2024**.

Chander Shekhar	Dr. Geeta Rathee Singh	Nadim Akhtar	Parneet S Sachdev
Member	Member	Member	Chairman